

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 2:15-CR-37-WKW
)	[WO]
DEVON TUCKER)	

ORDER

Defendant Devon Tucker has filed a *pro se* motion for compassionate release, which is construed as a motion to modify an imposed term of imprisonment pursuant to 18 U.S.C. § 3582(c)(1)(A). (Doc. # 82.) Under § 3582(c)(1)(A), a district court may modify a convicted defendant's sentence when "extraordinary and compelling reasons warrant such a reduction." However, a defendant may only move for such a reduction after he or she "has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or [after] the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." § 3582(c)(1)(A). Defendant's motion does not indicate that he has pursued the statutorily mandated procedure, so his motion is premature at this time. It is ORDERED that Defendant's motion is DENIED without prejudice with leave to re-file his motion, if necessary, after he has exhausted his administrative rights.

DONE this 23rd day of April, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE